



Entered on Docket  
May 04, 2010

  
Hon. Mike K. Nakagawa  
United States Bankruptcy Judge

**WILDE & ASSOCIATES**

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U.S. Bank National Association as Trustee under Pooling and Servicing Agreement Dated as of  
December 1, 2006 MASTR Asset Backed Securities Trust 2006-IIE5 Mortgage Pass-Through  
Certificates Series 2006-HE5  
09-76699

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In Re:

Frances Huerta

Debtor.

BK-09-23716-MKN

Date: November 25, 2009

Time: 1:30 pm

Chapter 13

**AMENDED ORDER VACATING AUTOMATIC STAY**

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the  
2 above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to  
3 Secured Creditor U.S. Bank National Association as Trustee under Pooling and Servicing Agreement  
4 Dated as of December 1, 2006 MASTR Asset Backed Securities Trust 2006-HE5 Mortgage Pass-  
5 Through Certificates Series 2006-HE5, its assignees and/or successors in interest, of the subject  
6 property, generally described as 4617 Alta Dr., Las Vegas, NV 89107, and legally described as follows:  
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8 LOT ONE HUNDRED FORTY-ONE (141) IN BLOCK FIVE(5) OF CHARLESTON  
9 HEIGHTS TRACT NO. 16-B, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 6 OF  
10 PLATS, PAGE 59, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY,  
NEVADA.

11 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give  
12 Debtors at least five business days' notice of the time, place and date of sale.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby  
14 withdraws its secured Proof of Claim filed in this matter. The Secured Creditor shall notify the Trustee of  
15 the completion of the foreclosure sale. If applicable, Secured Creditor may thereafter amend its secured  
16 Proof of Claim to an unsecured Proof of Claim no later than forty-five (45) days after the foreclosure sale.

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1 IT IS FURTHER ORDERED that in the event a Notice of Default was recorded against this  
2 particular property prior to July 1, 2009, the Debtor(s) can promptly submit a copy of this Order to the  
3 State of Nevada, Foreclosure Mediation Program and the Order will be construed as an agreement  
4 between the Secured Creditor and Debtor(s) that they have voluntarily agreed to a mediation under the  
5 Nevada State Foreclosure Mediation Program pursuant to Rule 6 of said program. The necessary  
6 information can be accessed at "<http://www.nevadajudiciary.us/>".

7 DATED this \_\_\_\_ day of \_\_\_\_\_, 2010.

8 Submitted by:

9 **WILDE & ASSOCIATES**

10 BY 

11 **GREGORY L. WILDE, ESQ.**

12 Attorney for Secured Creditor

13 212 South Jones Boulevard

14 Las Vegas, Nevada 89107

15 APPROVED / DISAPPROVED

16 \_\_\_\_\_  
17 Boris A. Avramski

18 4640 W. Charleston Blvd.

19 Las Vegas, NV 89102

20 Attorney for Debtor(s)

21 APPROVED / DISAPPROVED

22 \_\_\_\_\_  
23 Kathleen A. Leavitt

24 201 Las Vegas Blvd. So., #200

25 Las Vegas, NV 89101

26 Chapter 13 Trustee

1 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

2 ☐ The court waived the requirements of LR 9021.

3 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

4 ☐ No parties appeared or filed written objections, and the trustee is the movant.

5 ☒ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a  
6 copy of this proposed order to all counsel who appeared at the hearing, and any trustee  
7 appointed in this case, any unrepresented parties who appeared at the hearing, and each has  
8 approved or disapproved the order, or failed to respond, as indicated below:

9 Debtor's counsel:

10 ☐ approved the form of this order ☐ disapproved the form of this order

11 ☐ waived the right to review the order and/or ☒ failed to respond to the document

12 ☐ appeared at the hearing, waived the right to review the order

13 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

14 Trustee:

15 ☐ approved the form of this order ☐ disapproved the form of this order

16 ☐ waived the right to review the order and/or ☒ failed to respond to the document

17 ☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all  
18 counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented  
19 parties who appeared at the hearing, and each has approved or disapproved the order, or failed to  
20 respond, as indicated below.

21 Debtor's counsel:

22 ☐ approved the form of this order ☐ disapproved the form of this order

23 ☐ waived the right to review the order and/or ☐ failed to respond to the document

24 ☐ appeared at the hearing, waived the right to review the order

25 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

26 Trustee:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed  
written objection.

Submitted by:

/s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

Attorney for Secured Creditor